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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

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11 JALEN LAWRENCE GREEN,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL SECURITY,

15 Defendant.

Case No. 1:19-cv-01800-SAB

ORDER TO SHOW CAUSE WHY ACTION  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE

FIVE DAY DEADLINE

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17 Plaintiff Jalen Lawrence Green (“Plaintiff”) filed this action seeking judicial review of a  
18 final decision of the Commissioner of Social Security (“Commissioner” or “Defendant”) denying  
19 an application for disability benefits pursuant to the Social Security Act. On July 30, 2020,  
20 Defendant filed proof of service of Defendant’s confidential letter brief. (ECF No. 13.) Pursuant  
21 to the scheduling order, Plaintiff’s opening brief was due to be filed with the Court within thirty  
22 (30) days after service of Defendant’s confidential letter brief. (ECF No. 6 at 2-3.) Accounting  
23 for additional time for mailing due to Plaintiff’s *pro se* status, Plaintiff’s time to file an opening  
24 brief has now expired.

25 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these  
26 Rules or with any order of the Court may be grounds for imposition by the Court of any and all  
27 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to  
28 control its docket and may, in the exercise of that power, impose sanctions where appropriate,

1 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.  
2 2000).

3 Accordingly, IT IS HEREBY ORDERED that Plaintiff SHALL SHOW CAUSE IN  
4 WRITING why this action should not be dismissed for failure to prosecute within **five (5) days**  
5 of the date of service of this order. Failure to comply with this order to show cause shall result in  
6 this action being dismissed for failure to prosecute.

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8 IT IS SO ORDERED.

9 Dated: September 4, 2020

  
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UNITED STATES MAGISTRATE JUDGE